ssm

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1078 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr. Uday Warunjikar for the appellant.

Mr. Yogendra M. Pendse for the respondent.

CORAM : ANOOP V. MOHTA,J.

DATED : 30th October, 2007.

P.C.

1. By order dated 9th February, 2007, this court has passed the following order:-

> 1. Heard.
>
> 2. Rule. Rule made returnable after four weeks.
>
> . In the meantime, ad-interim relief in terms of prayer clause (a) on condition that out of the decretal amount, Rs. One lac shall be deposited by the appellants in the lower Court within eight weeks from the date of this order."

2. The learned counsel appearing for

the respondent workman makes a statement that except Rs.1 lac as directed by this Court as a condition precedent for ad-interim relief, appellant failed to submit the certificate as contemplated under Section 30 of the Workmen's Compensation Act-1923, till this date. Apart from that, pursuance to the above order as appellant failed to submit/ produce the said certificate within a period of six weeks from the date of order of 9th February, 2007, the appeal itself stand dismissed for want of prosecution.

3. The appeal is, therefore, dismissed for want of prosecution, with liberty.

[ANOOP V. MOHTA, J.]